

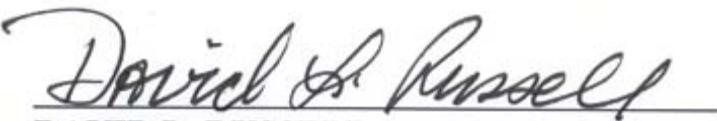
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DAVID L. VINEYARD,)
)
Plaintiff,)
)
v.) **CIV-03-1745-R**
)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
)
Defendant.)

O R D E R

Before the Court is the Report and Recommendation of United States Magistrate Judge Bana Roberts entered August 29, 2005. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety, the decision of Defendant Commissioner denying Plaintiff's applications for widower's insurance benefits and supplemental security income payments is REVERSED and this matter is REMANDED for further proceedings consistent with the Report and Recommendation.

IT IS SO ORDERED this 22nd day of September, 2005.


David L. Russell
DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE